

SENATE BILL No. 300

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-1; IC 25-5.1.

Synopsis: Athletic trainer licensure. Provides that athletic trainers must be licensed. (Current law requires them to be certified.) Includes rehabilitation techniques within the definition of "athletic training". Requires the Indiana athletic trainers certification board to adopt continuing education standards that conform with the standards of the National Athletic Trainers Association. Requires an individual to be a resident of, or employed in, Indiana before applying for an athletic trainer's license. Includes rehabilitation as a course that an individual must have completed to be licensed as an athletic trainer. Licenses individuals who currently hold a valid athletic trainer's certificate. Makes conforming amendments.

Effective: July 1, 1998.

Bowser

January 7, 1998, read first time and referred to Committee on Public Policy.

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Introduced

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

SENATE BILL No. 300

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 25-1-5-3, AS AMENDED BY P.L.147-1997,
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 1998]: Sec. 3. (a) There is established the health professions
4 bureau. The bureau shall perform all administrative functions, duties,
5 and responsibilities assigned by law or rule to the executive director,
6 secretary, or other statutory administrator of the following:
7 (1) Board of chiropractic examiners (IC 25-10-1).
8 (2) State board of dental examiners (IC 25-14-1).
9 (3) Indiana state board of health facility administrators
10 (IC 25-19-1).
11 (4) Medical licensing board of Indiana (IC 25-22.5-2).
12 (5) Indiana state board of nursing (IC 25-23-1).
13 (6) Indiana optometry board (IC 25-24).
14 (7) Indiana board of pharmacy (IC 25-26).
15 (8) Board of podiatric medicine (IC 25-29-2-1).
16 (9) Board of environmental health specialists (IC 25-32).
17 (10) Speech-language pathology and audiology board



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- 1 (IC 25-35.6-2).
- 2 (11) State psychology board (IC 25-33).
- 3 (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- 4 (13) Controlled substances advisory committee (IC 35-48-2-1).
- 5 (14) Committee of hearing aid dealer examiners (IC 25-20).
- 6 (15) Indiana physical therapy committee (IC 25-27).
- 7 (16) Respiratory care committee (IC 25-34.5).
- 8 (17) Occupational therapy committee (IC 25-23.5).
- 9 (18) Social worker, marriage and family therapist, and mental
- 10 health counselor board (IC 25-23.6).
- 11 (19) Physician assistant committee (IC 25-27.5).
- 12 (20) Indiana athletic trainers certification board (IC 25-5.1-2-1).
- 13 (21) Indiana dietitians certification board (IC 25-14.5-2-1).
- 14 (22) Indiana hypnotist committee (IC 25-20.5-1-7).
- 15 (b) Nothing in this chapter may be construed to give the bureau
- 16 policy making authority, which authority remains with each board.
- 17 SECTION 2. IC 25-1-7-1, AS AMENDED BY P.L.147-1997,
- 18 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 19 JULY 1, 1998]: Sec. 1. As used in this chapter:
- 20 "Board" means the appropriate agency listed in the definition of
- 21 regulated occupation in this section.
- 22 "Director" refers to the director of the division of consumer
- 23 protection.
- 24 "Division" refers to the division of consumer protection, office of
- 25 the attorney general.
- 26 "Licensee" means a person who is:
- 27 (1) licensed, certified, or registered by a board listed in this
- 28 section; and
- 29 (2) the subject of a complaint filed with the division.
- 30 "Person" means an individual, a partnership, a limited liability
- 31 company, or a corporation.
- 32 "Regulated occupation" means an occupation in which a person is
- 33 licensed, certified, or registered by one (1) of the following:
- 34 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 35 (2) Board of registration for architects (IC 25-4-1-2).
- 36 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 37 (4) State board of barber examiners (IC 25-7-5-1).
- 38 (5) State boxing commission (IC 25-9-1).
- 39 (6) Board of chiropractic examiners (IC 25-10-1).
- 40 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 41 (8) State board of dental examiners (IC 25-14-1).
- 42 (9) State board of funeral and cemetery service (IC 25-15-9).

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- 1 (10) State board of registration for professional engineers
 2 (IC 25-31-1-3).
 3 (11) Indiana state board of health facility administrators
 4 (IC 25-19-1).
 5 (12) Medical licensing board of Indiana (IC 25-22.5-2).
 6 (13) Indiana state board of nursing (IC 25-23-1).
 7 (14) Indiana optometry board (IC 25-24).
 8 (15) Indiana board of pharmacy (IC 25-26).
 9 (16) Indiana plumbing commission (IC 25-28.5-1-3).
 10 (17) Board of podiatric medicine (IC 25-29-2-1).
 11 (18) Board of environmental health specialists (IC 25-32-1).
 12 (19) State psychology board (IC 25-33).
 13 (20) Speech-language pathology and audiology board
 14 (IC 25-35.6-2).
 15 (21) Indiana real estate commission (IC 25-34.1-2).
 16 (22) Indiana board of veterinary medical examiners (IC 15-5-1.1).
 17 (23) Department of natural resources for purposes of licensing
 18 water well drillers under IC 25-39-3.
 19 (24) Respiratory care committee (IC 25-34.5).
 20 (25) Private detectives licensing board (IC 25-30-1-5.1).
 21 (26) Occupational therapy committee (IC 25-23.5).
 22 (27) Social worker, marriage and family therapist, and mental
 23 health counselor board (IC 25-23.6).
 24 (28) Real estate appraiser licensure and certification board
 25 (IC 25-34.1-8).
 26 (29) State board of registration for land surveyors
 27 (IC 25-21.5-2-1).
 28 (30) Physician assistant committee (IC 25-27.5).
 29 (31) Indiana athletic trainers ~~certification~~ board (IC 25-5.1-2-1).
 30 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
 31 (33) Indiana hypnotist committee (IC 25-20.5-1-7).
 32 (34) Any other occupational or professional agency created after
 33 June 30, 1981.

34 SECTION 3. IC 25-1-8-1, AS AMENDED BY P.L.147-1997,
 35 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 1998]: Sec. 1. As used in this chapter, "board" means any of
 37 the following:

- 38 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 39 (2) Board of registration for architects (IC 25-4-1-2).
 40 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
 41 (4) State board of barber examiners (IC 25-7-5-1).
 42 (5) State boxing commission (IC 25-9-1).



- 1 (6) Board of chiropractic examiners (IC 25-10-1).
- 2 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 3 (8) State board of dental examiners (IC 25-14-1).
- 4 (9) State board of funeral and cemetery service (IC 25-15).
- 5 (10) State board of registration for professional engineers
- 6 (IC 25-31-1-3).
- 7 (11) Indiana state board of health facility administrators
- 8 (IC 25-19-1).
- 9 (12) Medical licensing board of Indiana (IC 25-22.5-2).
- 10 (13) Mining board (IC 22-10-1.5-2).
- 11 (14) Indiana state board of nursing (IC 25-23-1).
- 12 (15) Indiana optometry board (IC 25-24).
- 13 (16) Indiana board of pharmacy (IC 25-26).
- 14 (17) Indiana plumbing commission (IC 25-28.5-1-3).
- 15 (18) Board of environmental health specialists (IC 25-32-1).
- 16 (19) State psychology board (IC 25-33).
- 17 (20) Speech-language pathology and audiology board
- 18 (IC 25-35.6-2).
- 19 (21) Indiana real estate commission (IC 25-34.1-2-1).
- 20 (22) Until July 1, 1996, Indiana state board of television and radio
- 21 service examiners (IC 25-36-1).
- 22 (23) Indiana board of veterinary medical examiners
- 23 (IC 15-5-1.1-3).
- 24 (24) Department of insurance (IC 27-1).
- 25 (25) State police department (IC 10-1-1-1), for purposes of
- 26 certifying polygraph examiners under IC 25-30-2.
- 27 (26) Department of natural resources for purposes of licensing
- 28 water well drillers under IC 25-39-3.
- 29 (27) Private detectives licensing board (IC 25-30-1-5.1).
- 30 (28) Occupational therapy committee (IC 25-23.5-2-1).
- 31 (29) Social worker, marriage and family therapist, and mental
- 32 health counselor board (IC 25-23.6-2-1).
- 33 (30) Real estate appraiser licensure and certification board
- 34 (IC 25-34.1-8).
- 35 (31) State board of registration for land surveyors
- 36 (IC 25-21.5-2-1).
- 37 (32) Physician assistant committee (IC 25-27.5).
- 38 (33) Indiana athletic trainers ~~certification~~ board (IC 25-5.1-2-1).
- 39 (34) Board of podiatric medicine (IC 25-29-2-1).
- 40 (35) Indiana dietitians certification board (IC 25-14.5-2-1).
- 41 (36) Any other occupational or professional agency created after
- 42 June 30, 1981.

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1 SECTION 4. IC 25-1-9-1, AS AMENDED BY P.L.147-1997,
 2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 1998]: Sec. 1. As used in this chapter, "board" means any of
 4 the following:

- 5 (1) Board of chiropractic examiners (IC 25-10-1).
- 6 (2) State board of dental examiners (IC 25-14-1).
- 7 (3) Indiana state board of health facility administrators
 8 (IC 25-19-1).
- 9 (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 10 (5) Indiana state board of nursing (IC 25-23-1).
- 11 (6) Indiana optometry board (IC 25-24).
- 12 (7) Indiana board of pharmacy (IC 25-26).
- 13 (8) Board of podiatric medicine (IC 25-29-2-1).
- 14 (9) Board of environmental health specialists (IC 25-32).
- 15 (10) Speech-language pathology and audiology board
 16 (IC 25-35.6-2).
- 17 (11) State psychology board (IC 25-33).
- 18 (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- 19 (13) Indiana physical therapy committee (IC 25-27-1).
- 20 (14) Respiratory care committee (IC 25-34.5).
- 21 (15) Occupational therapy committee (IC 25-23.5).
- 22 (16) Social worker, marriage and family therapist, and mental
 23 health counselor board (IC 25-23.6).
- 24 (17) Physician assistant committee (IC 25-27.5).
- 25 (18) Indiana athletic trainers ~~certification~~ board (IC 25-5.1-2-1).
- 26 (19) Indiana dietitians certification board (IC 25-14.5-2-1).
- 27 (20) Indiana hypnotist committee (IC 25-20.5-1-7).

28 SECTION 5. IC 25-5.1-1-4 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. "Athletic training"
 30 means the practice of prevention, recognition, assessment,
 31 management, treatment, disposition, and reconditioning of athletic
 32 injuries under the direction of a licensed ~~team medical doctor,~~
 33 **physician**, osteopath, podiatrist, or chiropractor. The term includes the
 34 following:

- 35 (1) Practice that may be conducted by an athletic trainer through
 36 the use of heat, light, sound, cold, electricity, exercise,
 37 **rehabilitation techniques**, or mechanical devices related to the
 38 care and the conditioning of athletes.
- 39 (2) The organization and administration of educational programs
 40 and athletic facilities.
- 41 (3) The education and the counseling of the public on matters
 42 related to athletic training.



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1 SECTION 6. IC 25-5.1-1-5 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 5. "Board" refers to the
 3 Indiana athletic trainers ~~certification~~ board established by
 4 IC 25-5.1-2-1.

5 SECTION 7. IC 25-5.1-2-1 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. The Indiana athletic
 7 trainers ~~certification~~ board is established.

8 SECTION 8. IC 25-5.1-2-6 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 6. The board shall do
 10 the following:

11 (1) Organize by electing a president, vice president, and secretary.

12 (2) Adopt rules under IC 4-22-2 to do the following:

13 (A) Provide for the ~~certification~~ **licensure** of athletic trainers.

14 (B) Fix application fees, examination fees, and ~~certification~~
 15 **licensure** fees.

16 (C) Establish standards for the practice of athletic training
 17 under this article.

18 **(D) Establish standards for continuing education that**
 19 **conform with the standards of NATA.**

20 ~~(D)~~ **(E)** Otherwise implement this article.

21 (3) Prescribe the application forms to be furnished to all persons
 22 seeking to be ~~certified~~ **licensed** under this article.

23 (4) Prescribe the form and design of the ~~certificate~~ **license** to be
 24 issued under this article.

25 (5) Conduct hearings, keep records of proceedings, and do all
 26 things necessary to properly administer and enforce this article.

27 (6) Publish and make available the following upon request and for
 28 a fee not to exceed the actual cost of printing and mailing:

29 (A) Requirements for issuance of an athletic trainer's
 30 ~~certificate~~ **licensed** under this article.

31 (B) Rules adopted under this article.

32 (7) Maintain and make available as required by IC 4-1-6 and
 33 IC 5-14-3 a register of each ~~certified~~ **licensed** athletic trainer in
 34 Indiana, including each ~~certified~~ **licensed** athletic trainer's last
 35 known address and the expiration date and identification number
 36 of the certified athletic trainer's ~~certificate~~ **license**.

37 (8) Contract with the NATA board of certification to prepare,
 38 conduct, and score NATA's current professional examination as
 39 the qualifying examination for athletic trainers under this article.

40 SECTION 9. IC 25-5.1-3-1 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. (a) To qualify for a
 42 ~~certificate~~ **license** under this article, an individual must satisfy the

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- 1 following requirements:
- 2 (1) Satisfactorily complete an application for ~~certification~~
- 3 **licensure** in accordance with the rules adopted by the board.
- 4 (2) Pay the application fees, examination fees, and ~~certification~~
- 5 **licensure** fees established by the board.
- 6 (3) Be a resident of **or employed in** Indiana.
- 7 (4) Not have been convicted of a crime that has a direct bearing
- 8 on the applicant's ability to practice competently as determined by
- 9 the board.
- 10 (5) Not have had disciplinary action taken against the applicant or
- 11 the applicant's ~~certificate~~ **license** by the board or by the licensing
- 12 agency of another state or jurisdiction by reason of the applicant's
- 13 inability to safely practice athletic training with those reasons for
- 14 discipline still being valid as determined by the board.
- 15 (6) Show to the satisfaction of the board that the applicant has
- 16 received at least a baccalaureate degree from an institution of
- 17 higher education that meets the academic standards for athletic
- 18 trainers established by NATA and described in subsection (b).
- 19 (7) Except to the extent that section 6 of this chapter applies,
- 20 successfully pass the qualifying examination adopted by the board
- 21 as described in IC 25-5.1-2-6(8).
- 22 (b) The minimum academic standards for athletic trainers ~~certified~~
- 23 **licensed** under this article as required under subsection (a)(6) include
- 24 the satisfactory completion of an academic program that includes at
- 25 least the following accredited courses:
- 26 (1) Human anatomy.
- 27 (2) Human physiology.
- 28 (3) Physiology of exercise.
- 29 (4) Kinesiology.
- 30 (5) Personal health.
- 31 (6) Basic athletic training.
- 32 (7) Advanced athletic training.
- 33 (8) Clinical experience as prescribed by the board.
- 34 (9) Therapeutic ~~exercise~~ and modalities.
- 35 **(10) Rehabilitation.**
- 36 (c) The examination described in subsection (a)(7) shall be offered
- 37 two (2) times during each calendar year.
- 38 SECTION 10. IC 25-5.1-3-2 IS AMENDED TO READ AS
- 39 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 2. Except as provided
- 40 in section 3 of this chapter, the board shall issue a ~~certificate~~ **license** to
- 41 an individual who:
- 42 (1) meets the conditions set out in section 1 of this chapter; and

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1 (2) is otherwise qualified for ~~certification~~ **licensure** under this
2 article.

3 SECTION 11. IC 25-5.1-3-3 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 3. The board may
5 refuse to issue a ~~certificate license~~ to an applicant for ~~certification~~
6 **licensure** under section 1 of this chapter if:

7 (1) the board determines during the application process that the
8 applicant committed an act that would have subjected the
9 applicant to disciplinary sanction under section 1(a)(5) of this
10 chapter if the applicant had been certified in Indiana when the act
11 occurred; or

12 (2) the applicant has had a ~~certificate license~~ revoked under
13 IC 25-1-1.1.

14 SECTION 12. IC 25-5.1-3-4 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. (a) A ~~certificate~~
16 **license** issued by the board expires on a date established by the bureau
17 under IC 25-1-5-4 in each even-numbered year.

18 (b) An individual may renew a ~~certificate license~~ by paying a
19 renewal fee not later than the expiration date of the ~~certificate~~ **license**.

20 (c) If an individual fails to timely pay a renewal fee as required by
21 subsection (b), the individual's ~~certificate license~~ becomes invalid
22 without any action being taken by the board.

23 SECTION 13. IC 25-5.1-3-5 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 5. (a) Except as
25 provided in subsection (b), an individual whose ~~certificate license~~ has
26 expired may have the ~~certificate license~~ renewed for not more than
27 three (3) years after the date of expiration upon:

28 (1) payment of all past due fees and a penalty fee set by the board;

29 (2) **submission of proof to the board that the individual has**
30 **completed the number of hours of continuing education**
31 **during the expired period that are required under rules**
32 **adopted by the board under IC 4-22-2.**

33 (b) If an individual's ~~certificate license~~ has been expired for more
34 than three (3) years, the individual must file a new application.

35 SECTION 14. IC 25-5.1-3-6 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 6. If an individual who
37 applies for a ~~certificate license~~ under this article meets any of the
38 following conditions, the individual may be exempted from the
39 examination requirement under section 1(a)(7) of this chapter by action
40 of the board:

41 (1) The individual is ~~certified~~ **licensed** to practice athletic training
42 in another state, if the other state's standards for ~~certification~~

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- 1 **licensure** are at least equal to the standards for ~~certification~~
 2 **licensure** in Indiana.
- 3 (2) The individual is ~~certified~~ **licensed** by NATA and is otherwise
 4 qualified for ~~certification~~ **licensure** under this article.
- 5 (3) The individual is certified by an organization recognized by
 6 the National Commission on Competency Assurance and is
 7 otherwise qualified for ~~certification~~ **licensure** under this article.
- 8 SECTION 15. IC 25-5.1-4-1 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. An individual may
 10 not use the title "certified athletic trainer" or "**licensed athletic**
 11 **trainer**" or the abbreviations "ATC" or "LAT" or any other title,
 12 **designation, words, letters, abbreviation, sign, card, or device**
 13 **tending to indicate that the individual is a licensed athletic trainer**
 14 **unless the individual is licensed under this article.**
- 15 SECTION 16. [EFFECTIVE JULY 1, 1998] (a) Notwithstanding
 16 **IC 25-5.1, as amended by this act, an individual who holds a valid**
 17 **athletic trainer's certificate on June 30, 1998, is considered to hold**
 18 **a valid athletic trainer's license under IC 25-5.1, as amended by**
 19 **this act, after June 30, 1998.**
- 20 (b) An athletic trainer's license described in subsection (a)
 21 **expires on the date the athletic trainer's certificate would have**
 22 **expired if the amendments to IC 25-5.1 by this act had not been**
 23 **enacted.**
- 24 (c) This SECTION expires July 1, 2000.

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